

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAMIZ ZIJAD HODZIC,

a/k/a Siki Ramiz Hodzic

SEDINA UNKIC HODZIC,

NIHAD ROSIC,

a/k/a Yahya Abu Ayesha Mudzahid,

MEDIHA MEDY SALKICEVIC, and

a/k/a Medy Ummuluna,

a/k/a Bosna Mexico,

ARMIN HARCEVIC,

Defendants.

Case No. 4:15-CR-0049 CDP- DDN

**MOTION FOR LEAVE TO FILE
OVER-LENGTH REPLY TO
RESPONSE TO MOTION
TO DISMISS**

**MOTION FOR LEAVE TO FILE OVER-LENGTH MOTION
TO DISMISS WITH MEMORANDUM IN SUPPORT
LOCAL RULE 4.01 (D)**

COME NOW Defendants, by and through undersigned counsel, and hereby respectfully move the Court for leave to file an over-length Reply to the government's Response to the Defendants' Motion to Dismiss based on Law of War and Combatant Immunity, for the reasons set forth herein.

Local Rule 4.01(D) states that no party shall file any motions, memorandum or briefs which exceeds fifteen (15) numbered pages, exclusive of signature page and

attachments, without leave of Court. Therefore, Defendants move the Court for an order granting them leave to file a Reply in excess of fifteen pages.

The Defendants have exceeded the amount of pages allowed by the Local Rules of this Court. They make this Motion for additional pages in order to fully present all of the relevant legal arguments relating to the facts, law, and arguments surrounding the Law of War and Combat Immunity Defense in reply to the Government's Response. This is a multi-defendant case with the presentation of a fairly unique defense, requiring a proper explanation of the facts and reasons that apply to this defense. It will benefit the court in its decision making to be fully apprised of a complete and thorough argument in our Reply in this matter. These reasons support Defendants' request for excessive pages in this Reply to the Government's Response to the Defendants' Motion to Dismiss, which is twenty (20) pages long, total. Defendants have attempted to stay within the page limit but the complexity of the issues necessitates an explanation in excess of the allotted the allotted 15 pages.

Counsel for Defendant Armin Harcevic has spoken to AUSA Matthew Drake, and Mr. Drake is not in opposition to the Defense Motion for Over-Length Reply.

WHEREFORE, for all of the reasons set forth above, Defendants respectfully request that this Court grants their motion for leave to file an over-length Reply.

Dated: November 30, 2017

Respectfully submitted,

/s/ Charles D. Swift

Charles D. Swift

Pro Hac Attorney for Defendant Harcevic

TX State Bar No. 24091964

Constitutional Law Center for Muslims in
America
833 E Arapaho Rd, Suite 102
Richardson, TX 75081
(972) 914-2507
cswift@clcma.org

/s/ Catherine McDonald
Catherine McDonald
Pro Hac Attorney for Defendant Harcevic
TX State Bar No. 24091782
Constitutional Law Center for Muslims in
America
833 E Arapaho Rd, Suite 102
Richardson, TX 75081
(972) 914-2507
cmcdonald@clcma.org

/s/ Diane Dragan
Diane Dragan, Assistant Fed. Public
Defender
Attorney for Defendant Ramiz Hodzic
1010 Market St., Suite 200
Saint Louis, Missouri 63101
Telephone: (314) 241-1255
Facsimile: (314) 421-3177
Diane_Dragan@fd.org

/s/ Kevin Curran
Kevin Curran, Assistant Fed. Public
Defender
Attorney for Defendant Ramiz Hodzic
1010 Market St., Suite 200
Saint Louis, Missouri 63101
Telephone: (314) 241-1255
Facsimile: (314) 421-3177
Kevin_Curran@fd.org

/s/ JoAnn Trog
JoAnn Trog 42725MO
Attorney for Defendant Rosic
121 West Adams Ave.
Saint Louis, Missouri 63122-4022
Telephone: 314-821-1111
Facsimile: 314-821-9798
jtrogmwb@aol.com

/s/ Paul J. D'Agrosa

Paul J. D'Agrosa (#36966MO)
Attorney for Defendant Sedina Hodzic
7710 Carondelet, Suite 200
Clayton, Mo. 63105
(314) 725-8019
(314) 725-8443 Fax
Paul@wolffdagrosa.com

/s/ Andrea E. Gambino

Andrea E. Gambino
Law Offices of Andrea E. Gambino
Co-Counsel for Defendant Mediha
Salkicevic
53 W. Jackson Blvd., Suite 1332
Chicago, Illinois 60604
(312) 322-0014 or (312) 952-3056
fax: (312) 341-9696
agambinolaw@gmail.com

/s/ J. Christian Goeke

J. Christian Goeke #39462MO
Co-counsel for Defendant Mediha
Salkicevic
7711 Bonhomme Avenue
Suite 850
Clayton, MO 63105
(314) 862-5110
(314) 862-5943- Facsimile
chris@jcgoekelaw.com

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of Defendants' Joint Motion For Leave to File Over-Length Reply to the Government's Response to the Defendants' Motion to Dismiss With Memorandum In Support was electronically filed and served on the Court's electronic filing system:

DATED this 30th day of November, 2017.

/s/ Charles D. Swift

Charles D. Swift

Pro Hac Attorney for Armin Harcevic

833 – E. Arapaho Rd., Ste. 102

Richardson, TX 75081

Tel: (972) 914-2507

Fax: (972) 692-7454

cswift@clcma.org